

Amendments to the Claims

This listing replaces all prior versions and listings of claims in the application.

Listing of Claims

1-25. (Canceled)

26. (New) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

- (a) a sequence having at least 85% identity to SEQ ID NO 62,
- (b) a sequence encoding a polypeptide comprising an amino acid sequence having at least 85% identity to SEQ ID NO 63, and
- (c) a sequence fully complementary to (a) or (b).

27. (New) The nucleic acid molecule of claim 26, said nucleic acid further comprising a gag coding sequence and an env coding sequence, wherein adenine-thymidine-guanidine is the gag coding sequence start codon.

28. (New) The nucleic acid molecule of claim 26, wherein a pol coding sequence comprises said nucleic acid.

29. (New) A transformed seed containing a recombinant construct comprising the nucleic acid of claim 26.

30. (New) The isolated nucleic acid molecule of claim 26, wherein said nucleotide sequence is selected from the group consisting of:

- (a) a sequence having at least 95% identity to SEQ ID NO 62,
- (b) a sequence encoding a polypeptide comprising an amino acid sequence having at least 95% identity to SEQ ID NO 63, and
- (c) a sequence fully complementary to (a) or (b).

31. (New) The nucleic acid molecule of claim 30, said nucleic acid further comprising a gag coding sequence and an env coding sequence, wherein adenine-thymidine-guanidine is the gag coding sequence start codon.

32. (New) The nucleic acid molecule of claim 30, wherein a pol coding sequence comprises said nucleic acid.

33. (New) A transformed seed containing a recombinant construct comprising the nucleic acid of claim 30.

34. (New) A transformed plant comprising a recombinant nucleic acid construct, said construct comprising a nucleotide sequence selected from the group consisting of:

- (a) a sequence having at least 85% identity to SEQ ID NO 62,
- (b) a sequence encoding a polypeptide comprising an amino acid sequence having at least 85% identity to SEQ ID NO 63, and
- (c) a sequence fully complementary to (a) or (b).

35. (New) The transformed plant of claim 34, wherein said construct comprises a nucleotide sequence having at least 85% identity to SEQ ID NO 62.

36. (New) The transformed plant of claim 34, wherein said construct comprises a nucleotide sequence encoding a polypeptide comprising an amino acid sequence having at least 85% identity to SEQ ID NO 63.

37. (New) The transformed plant of claim 34, wherein said plant is selected from the group consisting of: soybean, maize, sugar cane, beet, tobacco, wheat, barley, poppy, rape, sunflower, alfalfa, sorghum, rose, carnation, gerbera, carrot, tomato, lettuce, chicory, pepper, melon, cabbage, oat, rye, cotton, flax, potato, pine, walnut, citrus, hemp, oak, rice, petunia, orchids, *Arabidopsis*, broccoli, cauliflower, brussel sprouts, onion, garlic, leek, squash, pumpkin, celery, pea, bean, strawberries, grapes, apples, pears, peaches, banana, palm, cocoa, cucumber, pineapple, apricot, plum, sugar beet, lawn grasses, maple, triticale, safflower, peanut, and olive.

38. (New) A transformed plant comprising a recombinant nucleic acid construct, said construct comprising a nucleotide sequence selected from the group consisting of:

- (a) a sequence having at least 95% identity to SEQ ID NO 62,
- (b) a sequence encoding a polypeptide comprising an amino acid sequence having at least 95% identity to SEQ ID NO 63, and
- (c) a sequence fully complementary to (a) or (b).

39. (New) The transformed plant of claim 38, wherein said construct comprises a nucleotide sequence having at least 95% identity to SEQ ID NO 62.

40. (New) The transformed plant of claim 38, wherein said construct comprises a nucleotide sequence encoding a polypeptide comprising an amino acid sequence having at least 95% identity to SEQ ID NO 63.

41. (New) The transformed plant of claim 38, wherein said plant is selected from the group consisting of: soybean, maize, sugar cane, beet, tobacco, wheat, barley, poppy, rape, sunflower, alfalfa, sorghum, rose, carnation, gerbera, carrot, tomato, lettuce, chicory, pepper, melon, cabbage, oat, rye, cotton, flax, potato, pine, walnut, citrus, hemp, oak, rice, petunia, orchids, *Arabidopsis*, broccoli, cauliflower, brussel sprouts, onion, garlic, leek, squash, pumpkin, celery, pea, bean, strawberries, grapes, apples, pears, peaches, banana, palm, cocoa, cucumber, pineapple, apricot, plum, sugar beet, lawn grasses, maple, triticale, safflower, peanut, and olive.